

## **MITIGATED NEGATIVE DECLARATION**

April 5, 2007

Project Name: Valencia Square Condominiums

Project Number(s): TM 5404, S04-076, Log No. 04-18-009

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies for Hyrdrology and Drainage, Stormwater Management, and Traffic.
1. California Environmental Quality Act Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

A. TRANSPORTATION

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.
3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

DEPARTMENT OF PLANNING AND LAND USE CONDITIONS

I. Landscaping:

- A. Submit to and receive approval from the Director of Planning and Land Use a complete and detailed Landscape Plan. Landscape Plans shall be prepared by a California licensed landscape architect and shall fulfill the requirements of the Landscape Water Conservation Ordinance and Design Manual. The Landscape Plans and review fee shall be submitted to the Regulatory Planning Division, Zoning Counter. Plans shall include:
  1. Indication of the proposed width of any adjacent public right-of-way, and the locations of any required improvements and any proposed plant materials to be installed or planted therein. The applicant shall also obtain a permit from the Department of Public Works approving the variety, location, and spacing of all trees proposed to be planted within said right(s)-of-way. A copy of this permit and a letter stating that all landscaping within the said right(s)-of-way shall be maintained by the landowner(s) shall be submitted to the Department of Planning and Land Use.
  2. A complete planting plan including the names, sizes, and locations of all plant materials, including trees, shrubs, and groundcover. Wherever appropriate, native or naturalizing plant materials shall be used which can thrive on natural

moisture. These plants shall be irrigated only to establish the plantings.

3. A complete watering system including the location, size, and type of all backflow prevention devices, pressure and non-pressure water lines, valves, and sprinkler heads in those areas requiring permanent irrigation system. For areas of native or naturalizing plant material, the Landscape Plan shall show a method of irrigation adequate to assure establishment and growth of plants through two growing seasons.
4. Spot elevations of the hardscape, building, and proposed fine grading of the installed landscape.
5. The location and detail of all walls, fences, and walkways shall be shown on the plans. A lighting plan and light standard details shall be included in the plans.
6. Additionally, the following items shall be addressed as part of the Landscape Plans:

Tree planting within the public right-of-way along Valencia Street will require an Encroachment Permit to be issued by the Department of Public Works.

#### DEPARTMENT OF PUBLIC WORKS CONDITIONS

I. Standard Conditions:

1. Standard Conditions 1 through 10, 11
2. Specific Conditions:
  - a. Prior to approval of the Final Map, improve or agree to improve and provide security for the on-site private road with a minimum unobstructed private road width of twenty-four feet (24') of asphaltic concrete pavement over approved base. Provide a Portland cement concrete curb, twelve feet (12') from centerline, on one side to control drainage. Posting "No Parking-Fire Lane" shall be provided. Private road grades shall be a minimum of 1.0 percent and designed to drain the surface water properly per Standard Condition

11 of the "Standard Conditions for Tentative Subdivision Maps". All of the foregoing shall be to the satisfaction of the San Miguel Consolidated Fire Protection District and the Director of Public Works.

- b. Provide a certification by a Registered Civil Engineer, Licensed Land Surveyor, or Registered Traffic Engineer, that the intersectional sight distance along Valencia Street looking easterly from the project entrance is three-hundred and fifty feet (350') and that the intersectional sight distance along Valencia Street looking westerly from the project entrance is three-hundred and sixty feet (360'). All of the foregoing shall be to the satisfaction of the Director of Public Works.
- c. Advisory note: If gated entrances are to be installed, they shall be in conformance with San Diego County Design Standards No. DS-17, DS-18, or DS-19 and to the satisfaction of the Director of Public Works.

(Drainage and Flood Control)

- 3. Standard Conditions 13 through 18.
- 4. Specific Conditions:
  - a. The 100-year flood line of the natural channels crossing all lots with drainage watersheds of excess of twenty-five (25 acres) shall be clearly delineated on the non-title information sheet of the Final Map.
  - b. The building site shall be safe from the flood peak of a 100-year frequency storm.
  - c. The private drainage system shall be privately maintained by a private maintenance mechanism such as a homeowners association or other private entity, to insure perpetual maintenance, acceptable to the satisfaction of the Director of Public Works.

(Grading Plans)

- 5. Standard Conditions 19(a-e).

6. Specific Conditions:

- a. For the duration of this project-Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than one (1) acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

DEVELOPMENT IMPACT FEES

7. Specific Conditions:

- a. Deposit with the County Department of Public Works sufficient funds to cover the cost of inspection of the private road improvements.
- b. Deposit with the County Department of Public Works \$220.00. Said deposit shall be used to cover the cost of site inspection by a County geologist to determine whether any geologic hazard exists and, if such is found, to review the geologic report prepared by the developer's engineering geologist. The developer shall reimburse the County Department of Public Works for any cost in excess of the deposit prior to recording the Final Map. Any unused portion of the deposit will be refunded.

FINAL MAP RECORDATION

(Streets and Dedication)

8. Specific Conditions:

- a. With the approval of the Final Map, dedicate Valencia Street along the entire project frontage, to a minimum one-half right-of-way width of thirty feet (30') from centerline.

- b. Prior to approval of improvement and/or grading plans, issuance of excavation permits, and issuance of any further grant of approval, the owners of this project will be required to sign a statement that they are aware of the County of San Diego, Department of Public Works, Pavement Cut Policy and that they have contacted all adjacent property owners and solicited their participation in the extension of utilities.
- c. With the approval of the Final Map, dedicate/grant/provide any necessary on-site and off-site public/private drainage easements to the satisfaction of the Director of Public Works.
- d. The Basis of Bearings for the Subdivision Map shall be in terms of the California Coordinate System Zone 6 NORTH AMERICAN DATUM OF 1983 by use of existing Horizontal Control stations with first order accuracy to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811).
- e. The Subdivision Map shall be prepared to show two measured ties from the boundary of the subject property to existing Horizontal Control station(s) having California coordinate values of first order accuracy as published in the County of San Diego's Horizontal Control book. These tie lines to the existing control shall be shown in relation to the California Coordinate System (i.e. Grid bearings and Grid distances). All other distances shown on the map are to be shown as ground distances. A combined factor for conversion of Ground-to-Grid distances shall be shown on the map, all to the satisfaction of the Director of Public Works (Ref. San Diego County Subdivision Ordinance Section 81.811 and 81.506(j)).

(Miscellaneous)

- 9. Standard Conditions 25, 26, 27, and 28.

#### WAIVER AND EXCEPTIONS

These recommendations are pursuant to the provisions of the State Subdivision Map Act, the County Subdivision Ordinance, the County Public Road and Private Road Standards, and all other required ordinances of San Diego County except for a waiver or modification of the following:

- a. Standard Conditions for Tentative Maps:

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- (1) Standard Condition 27.1: Said condition states that the Final Map may be filed as units or groups of units. The Final Map for this project is required to include the entire area shown on the Tentative Map and shall not be filed as units or groups of units.

b. County Subdivision Ordinance requirements:

- (1) Section 81.402(a)(1): Said section requires a public road in an urban residential area. This waiver permits a private road on-site to serve as access to this subdivision

c. County Public Road Standards:

Section 6.1, C.1. and Section 6.7, I.5.: Said standards require 200' of spacing between driveways along a county maintained road. This waiver permits a reduction in the spacing. Valencia Street is a Non-Circulation Element county maintained road. There are numerous driveways along Valencia Street that have less than 200' of spacing between them.

**ADOPTION STATEMENT:** This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

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on \_\_\_\_\_

JOSEPH FARACE, Planning Manager  
Regulatory Planning Division

JF:GK:jcr

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